

# **Item #3 C8-19-03**

## **Sign Code Sunset Date**

*Review of the proposed text amendments to the UDC sections related to sign standards in advance of the sign code sunset date*

**Planning Commission**  
Public Hearing  
September 16, 2020

# Background of Amendment



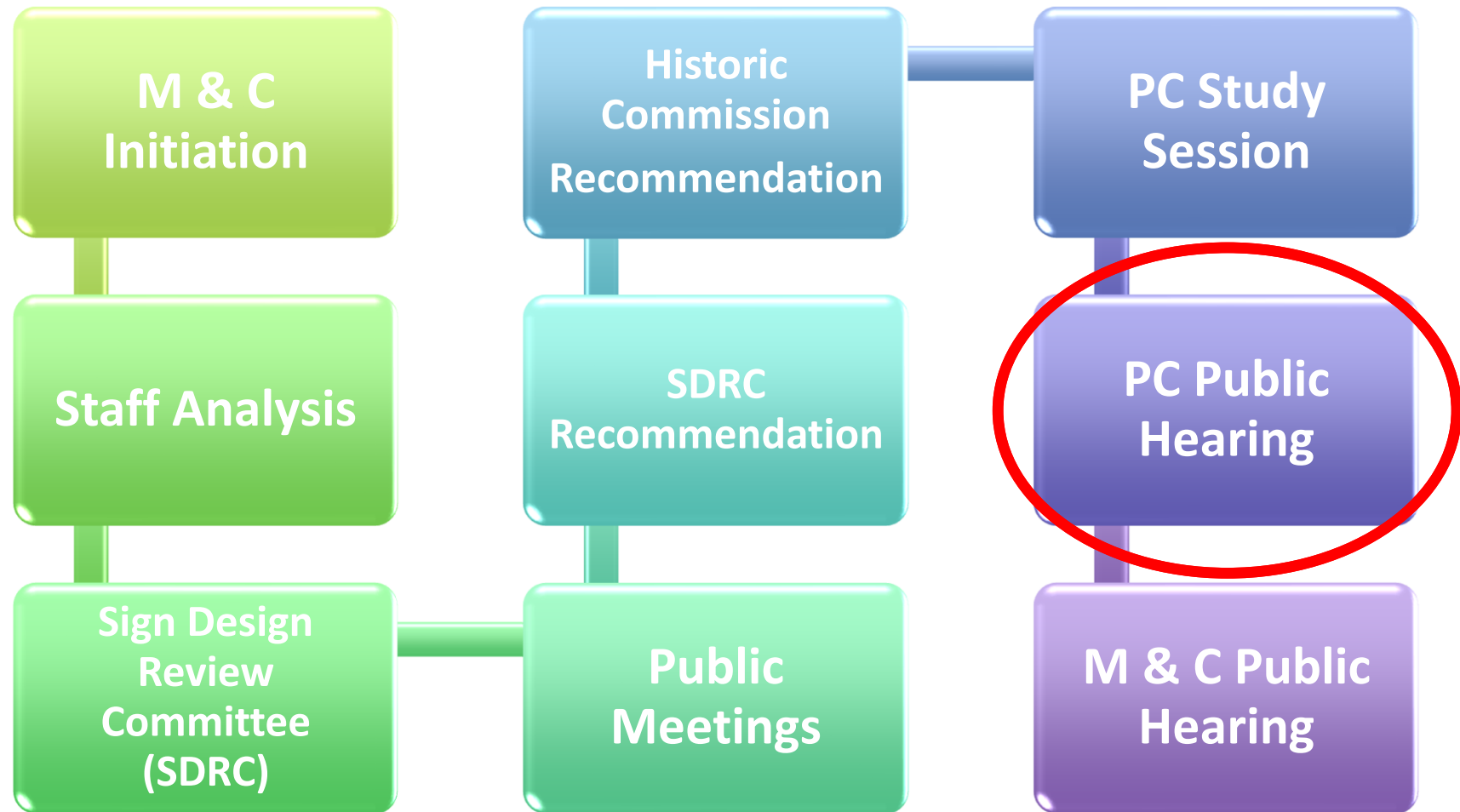
- **August 2016 – Mayor and Council direct staff to revise sign code**
  - Comply with Reed v. Gilbert
  - Move sign code into Unified Development Code
  - Make it practical – improve quality of design, use technical standards
  - Joint effort – Citizen Sign Code Committee and Planning Commission
- **December 2017 – Sign Code adopted by Mayor and Council**
  - Effective date: February 1, 2018
  - Sunset date: August 31, 2019
- **June 2019 – Staff back to Mayor and Council**
  - Sunset date extended: August 31, 2020
- **March 2020 – Planning Commission Study Session**
  - Set for Public Hearing April 2020
- **June 2020 - Staff back to Mayor and Council**
  - Sunset date extended: August 31, 2021

# Key Changes – Adopted Sign Code 2017



- **Addressed Reed v. Gilbert** (content neutral code)
- **Moved Sign Code: City Code → Zoning Code**
- **Established Sign Design Options**
- **Created Sign Design Review Committee (SDRC)**

# Sign Code Review Process



# Staff Analysis



- August 2019 – February 2020
- Internal meetings with sign review staff
- Review sign permit data
- Reviewed code enforcement complaints

Year	Number of Complaints
2014	1088
2015*	1458
2016	188
2017	143
2018**	205
2019	100
*Reed v Gilbert decided June 18, 2015	
**Revisions became effective in February 2018	

# Proposed Amendments



## Types of Amendments

- Clean-ups / Clarifications (45)
- Minor Changes (13)
- Process improvements (3)

Table of Proposed Text Changes

Amendment Number	Redline Page Number	Section	Change Type	Purpose of Change / Comments
11	4	7A.7.1.E.2.a.(1)	Clarification	Change made to reflect policy that a sign facing a private street is not regulated under 7A
12	4-5	7A.7.1.E.2.c.(4)	Minor change	Modify landscaping requirements such that signs will be incorporated into existing or proposed landscaping rather than designing landscaping specifically for the sign
13	5	7A.7.1.G.1.e	Clarification	Change to clarify that driver reacts to sign
14	5	7A.8.2.F.1	Clarification	Change made to include definition in Article 7A
15	5-6	7A.8.2.F.2/ 7A.8.2.F.2.b	Clarification	Moved original Section 7A.8.2.F.2 to proposed 7A.8.2.F.2.b
16	5-6 / 12	7A.8.2.F.2/ 7A.10.2.C.3.d.(4)(iii)	Clarification	Moved original Section 7A.8.2.F.2 to 7A.10.2.C.3.d.(4)(iii)
17	6	7A.8.4	Clarification	Signs may be allowed in the public right-of-way and a Temporary Revocation Easement may be obtained from Tucson Department of Transportation
18	6	7A.9.2.C.7	Clarification	Change made to clarify that personal services are included in retail use occupancy category

*...and make the sign code a permanent part of the UDC*

# Clean-ups / Clarifications



- References leftover from moving Tucson Code Chapter 3 to UDC Article 7A
- Clean up language
- Clarify existing policy





# Minor Changes



- Minor process improvements based on sign review staff input or recommendation by Sign Design Review Committee

MR15





## Slide 8

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**MR15**

change picture

Mallory Ress, 09/16/2020

# Examples



- **Aligning the process used to measure sign height for signs within Tucson with the sign industry's usual method of measurement. (Section 7A.6.5.A)**
- **Establishing a quorum of the Sign Design Review Committee at 50% of seated members. (Section 2.2.12.I)**
- **Defining fixed balloon signs and distinguishing small fixed balloons from those larger than two feet in diameter. (Section 11.4.7)**

# Process Improvements



- Changes required to support PDSD's implementation of a new permit database
- Necessary due to software requirements
- Changes will standardize the time period for the expiration of permits issued for temporary signs



# Feedback from Public Meetings



- Held two Public Meetings on January 28th and 29th
- Feedback Received on:
  - Enforcement of sign standards for portable & temporary signs
  - Regulations of murals
  - Education and outreach for businesses and public regarding what is allowed under the sign code
  - Importance of signs adhering to outdoor lighting code

# Sign Design Review Committee



- **Established under the adoption of the Sign Code**
- **9 seats – experts in signs or design**
- **6 public meetings held:**
  - November 2019- February 2020
- **Role:**
  - Recommendations to PDSD Director for Sign Design Option applications
  - Recommendations to Planning Commission and Mayor and Council for Sign Code text amendments

# Sign Design Review Committee



## February 6, 2020 – RECOMMENDATION

**SDRC issued their recommendation for approval of all proposed amendments, as presented, to the sign standards and removal of the sunset date**





# Plans Review Subcommittee



- Reviewed proposed revisions to:
  - **Historic Landmark Sign program**
    - Remove jurisdictional boundary
    - Name change to Heritage Landmark Sign
    - Appropriate reviewing body
  - **Signs in Historic Districts**
    - Clarify the maximum allowed area for signs in residential and commercial zones



# Plans Review Subcommittee



- **February 2020 – Courtesy Review**
  - PRS requested staff to meet with stakeholders regarding name change for Historic Landmark Sign (HLS) program
- **March 2020 – Staff follow-up**
  - Staff met with stakeholders who helped draft the regulation
  - Question was posed whether the HLS concentration requirement is needed
- **April 2020 – Courtesy Review**
  - Staff reported back to PRS and presented feedback from stakeholder meeting
  - PRS requested second staff meeting with stakeholders to learn why the concentration requirement was drafted



# Plans Review Subcommittee



- **July 2020 – Staff follow-up**
  - Concentration requirement imposed over concern of the proliferation of larger (area) and taller (height) signs throughout Tucson
- **August 2020 – Full Review**
  - PRS discussion included reduction of concentration requirement to one HLS and removal of the concentration requirement

## **HLS CONCENTRATION IS DEFINED AS:**

“A minimum of three previously designated HLS, or signs meeting the criteria for designation, within 2,640 linear feet (1/2 mile) as measured along the center line of a street, including turning in any direction at the intersection of a street to connect with another designated HLS or sign meeting the criteria for designation, together with an additional 440 linear feet (1/16 mile) beyond the terminus HLS. A replica HLS cannot be used as part of the number of HLS in the calculation of a HLS concentration.”

# Plans Review Subcommittee



- **Proposed revisions:**

- **Historic Landmark Sign program**

- Remove jurisdictional boundary
- Name change to Heritage Landmark Sign
- Appropriate reviewing body
- Removal of “concentration” requirement

- **Signs in Historic Districts**

- Clarify the maximum allowed area for signs in residential and commercial zones





# Plans Review Subcommittee



## August 27, 2020 – RECOMMENDATION

Plans Review Subcommittee issued their recommendation for approval of the proposed revisions related to signs in Historic Districts and the Historic Landmark Sign program



# Planning Commission



- During the March 4 study session Commissioners requested that staff review the proposed language for 7A.10.2.B-Table 2 relating to signs for multi-tenant complexes in the O-1 zone
- Staff has suggested adding language to discern that tenants may not combine their individually allotted signage to create one large sign for the complex

NON-RESIDENTIAL O-1 ZONE		
ALL PERMANENT SIGNS	20 Sq. Ft.	<p>1. <u>A 20 sq. ft. sign is allowed per tenant in a multi-tenant complex. The maximum size of any sign is 20 sq. ft. A multi-tenant complex may have no more than two freestanding signs, which may be a tenant sign or a sign for the entire complex.</u></p> <p>2. <u><del>Illumination and color:</del> Signs on arterial and collector streets shall be illuminated <del>only</del> by <u>down lights only such as</u> low pressure sodium lighting, <u>halo-effect illumination, full cut-off LED lighting or other similar lighting technologies compatible with the Tucson Outdoor Lighting Code.</u></u></p> <p>3. <u>Signs</u> <del>and</del> shall not be illuminated between the hours of 10:00 p.m. and 7:00 a.m. Signs located on a local street frontage shall not be illuminated.</p> <p>4. <u>No digital signs are permitted except for non-residential uses. Color schemes for all sign components, including copy, shall be compatible with surrounding residential areas.</u></p>



# Recent Public Comments



## TOPIC: Preserving Tucson's dark skies

**Comment:** Sign Design Review Committee has a vacant spot reserved for an Outdoor Lighting Committee representative

**Comment:** Removing sunset date removes ability to restrict or ban digital signs

**Response:** *Allowed prior to 2017 revisions, removing sunset date will not affect whether digital signs are permitted*

**Comment:** Increased illumination from signs affects the astronomy community

**Response:** *Concerns are best addressed by amending the Outdoor Lighting Code*

### OUTDOOR LIGHTING CODE

Established by Mayor and Council 2012

Sign Reviewers look to the Outdoor Lighting Code:

- Digital signs must dim to max brightness of no more than 200 NITS
- Dimming period for digital signs is sunset to sunrise
- Digital signs are not permitted in special areas surrounding observatories

# Recent Public Comments



## TOPIC: Removal of the Sunset Date

**Comment:** Removing sunset date will make it impossible to restrict digital signs

**Response:** *Sunset date imposes a date specific deadline to adopt code or revert to old code. Code changes can always be initiated by Mayor and Council with or without a sunset date*

**Response:** *Many times an imposed sunset date on an ordinance redirects limited staff resources to an issue that may not be pressing*



# Recommendation



- Staff recommends the Planning Commission approve a motion to:

***“Recommend approval of the proposed amendments to the Unified Development Code related to sign standards and removal of the sunset date to Mayor and Council.”***